

# EXHIBIT 406

## **Exhibit 406**

### **Technical Assistance Provider Monitoring and Accountability for Quality and Support in the Compliance and Improvement Monitoring Process**

The California Department of Education (CDE) utilizes Technical Assistance (TA) providers to support Local Educational Agencies (LEAs) in the areas of need that are specific to their expertise.

Funds are allocated to the CDE and CDE invites eligible entities to apply through a Request for Application (RFA) process. CDE provides a description of the process and accountability for the Special Education Resource Leads funding as an example. The Special Education Resource Leads program is established under Assembly Bill 178, Section 179, where \$12 million is to be allocated by the Superintendent of Public Instruction to LEAs, COEs and SELPAs to provide technical assistance to LEAs as defined in Section 52071 of the Education Code. This funding is specific for special education-related professional development and technical assistance and funds the majority of the TA providers currently supporting LEAs identified for the Compliance and Improvement Monitoring (CIM) Process.

As a secondary example, the California Special Education Technical Assistance Network (CALTAN) grant provides support to LEAs including, county offices of education; and SELPAs. This funding developed a technical assistance hub to support LEAs with assessing and addressing learning and service needs deficits experienced by students with disabilities because of the Coronavirus (COVID-19) pandemic during the 2021–22 fiscal year. This hub, accessible from the CALTAN site, includes current and relevant tools and resources, made available to all LEAs, for the specific purpose of ensuring high quality education programs for students with disabilities and provides evidence-based resources to LEAs as they continue to improve upon the systems that support positive outcomes for students with disabilities.

On the CALTAN site, CDE hosts education resources in the areas of assessment, collaboration, instruction, social emotional learning and behavior, and individualized education programs (IEPs) from technical assistance partners. The website also provides additional support from the special education program to support the CIM process.

#### **Grant and Contract Process and Accountability**

CDE engages in a grant and contract process that evaluates the needs of the state and identifies the expertise of the TA providers. The process to select TA providers is designed so that TA providers are selected to provide specific expertise on special education issues within the statewide system of support.

The special education system of TA support is made up of numerous providers, and all are expected to work collaboratively with one another to provide coordinated support to

LEAs to improve outcomes for students with disabilities. The CDE continues to work to make the various state and federal programs more coherent and streamlined to avoid redundancies. The goal of this TA system is to build local capacity to ensure that the LEAs are equipped to develop, implement, and evaluate strategies to ensure that each and every student has the resources necessary to succeed in school. All TA providers are required to provide support to both LEAs with identified needs, including LEAs identified by the CDE as needing assistance through CIM and Differentiated Assistance, as well as those who opt-in for continuous improvement support.

For example, the Special Education Resource Lead technical assistance, in the request for application, applicants are required to meet eligibility requirements prior to applying:

1. Demonstrate expertise in both the state priorities and federal IDEA indicators and an understanding of the relationship between them.
2. Ability to build capacity of other SELPAs or COEs to provide effective assistance and support LEAs under the state and federal priorities.
3. Capacity and willingness to work with and coordinate other Lead Agencies within the statewide system of support, to provide coordinated assistance and supports to LEAs to improve student performance and close the achievement gap for SWDs.
4. Demonstrate knowledge and expertise in the research and evidence of implementation and improvement sciences.
5. Willingness to establish measurable goals for improved performance across multiple measures.
6. Ability to define a clear vision for collaboratively addressing the needs of LEAs across the state, define the specific role each member LEA in the partnership will hold in contributing to statewide coverage, develop a plan for implementing those roles, and demonstrate expertise and capacity to implement the plan.
7. Make a compelling case for the requested funding and explain how the services will be evaluated.

Through the rigorous application process, TA providers are selected for a term of five years. Continued funding for the second, third, fourth and fifth years is contingent upon a favorable review by CDE of each TA provider's progress on goals and deliverables. Each TA provider must demonstrate that they have achieved the objectives outlined for their role and how their work has led to increased statewide capacity of LEAs, improved performance on the state and local indicators developed for the California School Dashboard, and observed positive trends between the number of LEAs receiving and LEAs that stopped receiving technical assistance. At the end of the five-year term, CDE may either renew or reopen the selection of the TA providers.

The CDE monitors and reviews the effectiveness of TA providers in three main ways: 1) quarterly and annual reports from TA providers; 2) LEA surveys of TA supports and services; and, 3) ad-hoc observations and reports from LEAs during the normative course of monitoring.

### **Accountability Method 1: Quarterly and Annual Reporting**

The Special Education Resource Leads must submit the following regular reports for approval by the CDE:

1. An annual project plan by each grantee
2. A quarterly fiscal activity report by each grantee
3. A quarterly project report by each grantee
4. Mid-year interviews for each grantee

The TA providers shall utilize templates for the reports developed by the CDE. If the CDE does not receive the required reports, program activities are not completed, there is a lack of participation in meetings, or there is a negative trend in the number of COEs, SELPAs, LEAs and charters utilizing technical assistance, funding may be halted.

The TA provider must provide an annual project plan outlining short- and long-term goals, including methods of evaluating progress related to the work. Goals should encompass more than activity counts (i.e., the number of attendees at professional learning opportunities). They must include methods and metrics to demonstrate and measure impact to the field, with the goal of improving outcomes for students. Quarterly project reports must describe the progress the grantee has made towards achieving the goals established in the annual project plan, as well as identification of next steps for continued progress, growth, and sustainability of the work in the field.

Provided as **Exhibit 407** is the template for the quarterly and annual report.

### **Accountability Method 2: Survey of LEAs on Technical Assistance Quality**

Starting in the 2024 monitoring year, the CDE proposes that at the end of each Compliance and Improvement Monitoring (CIM) step, LEAs will be surveyed to provide feedback about the supports and services provided by their TA provider. That data will be used to refine the monitoring process and identify instances where the CDE or TA providers must provide more information or support.

The proposed surveys have several questions that are specific to the quality of technical assistance. The survey will also ask the LEA to name their TA provider/TA facilitator. The survey will not ask for the LEA to identify themselves. These questions include:

- Our support team (Improvement Facilitator and CDE Consultant) provided us with useful information and resources for CIM Step 1 activities.
- Our support team (Improvement Facilitator and CDE Consultant) was responsive to our needs during CIM Step 1.
- Our Improvement Facilitator provided quality support throughout CIM Step 1.

Responses are recorded on a Likert scale from Strongly Agree to Strongly Disagree. In addition to this feedback, the LEA can also provide narrative responses about their experience with the CIM process.

Final versions of the surveys are currently in development for use in the next monitoring year.

**Accountability Method 3: Ad-Hoc Observations or Reports from LEAs**

Through the process of monitoring, CDE staff may observe or have communication with LEAs concerning the quality of technical assistance provided. If concerns are reported to CDE staff, our staff will communicate with the TA provider, the TA Facilitator and their manager to determine the severity and next steps.

In addition to the reporting and surveys, as a condition of receiving funds, TA providers make written commitments to comply with the assurances, certifications, terms, and conditions associated with their grant.

Provided as **Exhibit 408** is the General Assurances and Certifications 2023-24 listing the requirements of applicants and grantees as a condition of receiving funds.

### Accountability Matrix for Technical Assistance Providers

The CDE uses this matrix to determine increasing enforcement actions.

#### Technical Assistance Provider Accountability

Level	Threshold	CDE Action	LEA/TA provider	CDE Representatives
1	CDE reviews submissions of each CIM Step and identifies that the TA seems to not be working.	Meet with LEA to determine if the TA is a good fit or if the LEA needs additional support.	Director of Special Education or LEA contact	FMTA Consultant
2	LEA informs the CDE that the TA facilitator has been a poor fit or is not working out for them.	The CDE works with the TA provider to assign the LEA a new TA facilitator.	TA provider	FMTA Consultant
3	The LEA (through contact with the CDE) or the CDE (through observation or review of CIM product) identifies the TA facilitator is not meeting expectations or failing to provide adequate TA to the LEA.	The FMTA Unit manager contacts the TA provider to discuss the concerns and determine if the facilitator needs more training or should be reassigned.	TA provider	Unit Manager
4	TA provider is not providing adequate training and support to their facilitators. TA facilitators are not supporting assigned LEAs. This would be identified through surveys, quarterly reports or other evaluations.	Associate Director contacts the TA Provider and requests changes to the practices of supporting LEAs. Warns the TA Provider that CDE will withhold payment without change.	TA provider	Unit Manager, Director or Associate Director of SED
5	TA provider fails to meet requirements in contract or grant after warning.	CDE moves to withhold payments.	TA provider	Legal, Director/Associate Director, Unit Manager, Contracts Office

**Technical Assistance Provider Accountability**

<b>Level</b>	<b>Threshold</b>	<b>CDE Action</b>	<b>LEA/TA provider</b>	<b>CDE Representatives</b>
6	CDE is not satisfied with any corrections and finds the TA provider is failing to meet expectations at the end of the contract year.	<b>CDE moves to cancel contract and prepares new process for selection of a new contractor.</b>		Legal, Director/Associate Director, Unit Manager, Contracts Office

### **Monitoring/Caseloads/Case Assignments**

An integral part of CDE's technical assistance program is ongoing communication between CDE and the TA providers. Regular meetings are held between LEAs, TA providers and CDE consultants. In instances where LEAs select the TA provider, the LEA has access to the CALTAN website with the names and areas of expertise of TA providers. In instances where CDE assigns a TA provider, CDE reviews the needs of the LEA and pairs the LEA with a TA provider based the identified needs and the expertise of the TA provider. CDE utilizes check-in meetings, informal discussions, spreadsheets to track, LEA survey feedback, and progress reports to oversee and monitor the engagement between LEAs, TA providers and CDE. CDE consultants communicate directly to their unit manager in the event of any concerns regarding TA provider assignments and supports.

CDE submits the following exhibit for additional background in response to Plaintiffs' supplemental request 2.a.-e.:

- **Exhibit 407 – Special Education Resource Leads Reporting Template**
- **Exhibit 408 – General Assurances and Certifications 2023-24**
- **Exhibit 409 – the following CDE website links:**

Link to the Local Educational Agency Grants webpage, that contains program summaries and information on specific federal Individuals with Disabilities Education Act grants allocated to provide services to individuals with disabilities, <https://www.cde.ca.gov/sp/se/as/leagrnts.asp>.

Link to the Special Education Resource Leads, Request for Application webpage, <https://www.cde.ca.gov/fg/fo/r18/spedresourcelead23rfa.asp>.

Link to the California Department of Education's Services and Resources webpage, which includes information about technical assistance, <https://www.cde.ca.gov/sp/se/sr/>.